

**OPT-IN CONSENT FORM****MICHAEL, et al v. INDIANA PACKERS CORPORATION, 4:08-cv-00013-AS-APR**

United States District Court for the Northern District of Indiana, Lafayette Division

**Complete And Mail To:****RECEIVED** JAN 05 2009**INDIANA PACKERS OVERTIME LITIGATION****C/O BERGER & MONTAGUE, P.C.****1622 Locust Street****000116****Philadelphia, PA 19103**

Name: <u>Donald Leesmart JB</u> (Please Print)	Date of Birth: <u>September 16, 1961</u>
Address: <u>6300 South Wildwood Drive</u> <u>Lot #22 Rossville, Indiana</u> <u>46065</u>	Phone No. 1: <u>1-765-337-4278</u> <u>Message</u> Phone No. 2: <u>1-765-379-9682</u>

**CONSENT TO JOIN COLLECTIVE ACTION****Pursuant to Fair Labor Standards Act, 29 U.S.C. § 216(b)**

1. I consent and agree to pursue any claims I may have for unpaid wages or overtime arising out of the alleged violations of the Fair Labor Standards Act in connection with the above-referenced lawsuit.
2. I worked as an hourly production, maintenance or sanitation employee for Indiana Packers Corporation from on or about (month, year) September 2007 to on or about (month, year) December 2007.
3. I understand that this lawsuit is brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 201 *et seq.* I hereby consent, agree and opt-in to become a Plaintiff herein and be bound by any judgment, whether favorable or unfavorable, including any judgment of the Court or any settlement of this action.
4. I specifically authorize the Named Plaintiffs, and their attorneys, Philip (Felipe) Downey, Esq., Berger & Montague, P.C., and Schneider Wallace Cottrell Brayton Konecky, LLP, as my agents to prosecute this lawsuit on my behalf and to negotiate a settlement of any and all compensation claim(s) I have against Indiana Packers Corporation regarding my claims.

<u>Dec. 24, 2008</u> (Date Signed)	<u>Donald Lee Smart Jr.</u> (Signature)
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**\*\*NOTE\*\***

**PLEASE RETURN THIS FORM BEFORE THE DEADLINE OF JANUARY 7, 2009. IF YOU DO NOT RETURN THIS FORM BY JANUARY 7, 2009, THE COURT MAY NOT ALLOW YOU TO PARTICIPATE IN THIS LAWSUIT.**

DETACH HERE

